

UNITED STATES DISTRICT COURT

District of Massachusetts

American Tower Corporation,
Plaintiff,
V.

Heinz Corporation,
et. al.,
Defendants.

SUMMONS IN A CIVIL ACTION

CASE NUMBER:

04 - 12317 WGY

TO: (Name and address of Defendant)

Heinz Corporation
804 Lebanon Drive
St. Louis, MO 63104

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Gregory J. Aceto, Esq.
67 Batterymarch Street, Suite 400
Boston, MA 02110
617-728-0888

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.



CLERK

DATE

(By) DEPUTY CLERK

11/1/2004

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE 11-02-2004 at 3:30 PM
NAME OF SERVER (PRINT) KEVIN MOROSE	TITLE SPECIAL PROCESS SERVER

Check one box below to indicate appropriate method of service

- ☒ Served personally upon the defendant. Place where served: Heinz Corporation at 804 Lebanon Dr, St. Louis, MO 63104 - Kathy Barnes - administrative assistant accepted service.
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left:

☐ Returned unexecuted:☐ Other (specify):

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL \$0.00
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

11-02-04

Date

Signature of Server

4600 CHIPPEWA, #300, ST. LOUIS MO 63116

Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

Federal Process Investigations Corporation
 4600 Chippewa #300
 St. Louis, Mo. 63116
 (314) 457-9999

Corporate - Officer/Director/Agent
 File# 04-12317 WGY

AFFIDAVIT

Plaintiff(s) : AMERICAN TOWER CORPORATION vs.
 Defendant(s) : HEINZ CORPORATION, ET AL.
 Court : UNITED STATES DISTRICT COURT, DISTRICT OF MASSACHUSETTS
 Court Division :
 Court Date / Time : Within 20 Days of Service
 Cause or Case # : 04-12317 WGY
 Document : SUMMONS
 Subjects Name : HEINZ CORPORATION - PERSON IN CHARGE
 Serve Address : 804 LEBANON DR. - ST. LOUIS , MO 63104
 Reference Number : 04-12317 WGY
 Service Performed : Corporate - Officer/Director/Agent
 Service Made To : KATHY BARNES- ADMINISTRATIVE ASSISTANT
 Date of Service : 11/2/2004
 Time of Service : 3:30:00 PM
 Location of Service : 804 LEBANON DR. - ST. LOUIS , MO 63104

Details

KATHY BARNES- ADMINISTRATIVE ASSISTANT ACCEPTED SERVICE FOR HEINZ CORPORATION.

Description of Person Served (may not be exact, but described in good faith)

WHITE FEMALE, APROXIMATE AGE 35-45 WITH BROWN HAIR, HEIGHT 5'7" WEIGHT 130LBS -

I, KEVIN MOROSE, a person lawfully able to serve process in the State Of Missouri, sign below; stating that I have completed the service as described above and to my knowledge the information on this affidavit is true and correct.


 KEVIN MOROSE

Date: 11/3/2004

On the 11/3/2004, before me the above Special Server personally appeared and acknowledged to me that he/she/they executed this affidavit with his/her/their signature(s) on this instrument.

Notary Public Signature



ILDIKO BROCK
 NOTARY SEAL - NOTARY PUBLIC
 STATE OF MISSOURI - CITY OF ST. LOUIS
 MY COMMISSION EXPIRES 03-25-2005
 Witness My Official Seal

JOHNSON & ACETO, P.C. - Erin J. Brennan
 67 BATTERYMARCH ST., SUITE# 400
 BOSTON, MA. 02110